

Kershaw County Board of Zoning Appeals

515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233



MINUTES

KERSHAW COUNTY BOARD OF ZONING APPEALS JUNE 27, 2017 SPECIAL MEETING ROOM 190, KERSHAW COUNTY GOVERNMENT CENTER CAMDEN, SOUTH CAROLINA

Members Present: David Brown, Justin Conder, Paul Holder, Ben Strickland and Mike Jones

Staff Present: Michael Conley and Rhonda Darity

CALL TO ORDER

The Chairman, Paul Holder, called the meeting to order at 5:30 p.m.

MINUTES

Minutes from the May 2, 2017 regular meeting were reviewed. The motion to approve was made by Justin Conder. The motion was seconded by David Brown and approval was unanimous.

PUBLIC HEARING CASE #17-03

The Chairman opened the public hearing:

Planning and Zoning Director, Michael Conley, informed the Board that the applicant, Rick Shuffield, has applied for several sign variances from the Kershaw County Unified Code of Zoning and Land Development Regulations, for a proposed Love's Travel Stop. The property is located at 681 White Pond Road in Elgin. In order to grant a variance, the Board of Zoning Appeals is required to determine that the application of the Ordinance will result in unnecessary hardship, and that all four standards for a variance set by State Law and the Ordinance are met by the following facts:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the surrounding area will not be harmed by granting the variance.

The applicant, Mr. Shuffield presented an overview of the proposed project. The Love's Travel Stop will include a convenience store, gift shop, Arbys Restaurant, trucker's accessory area, tire repair facility, and fueling stations for cars and trucks. Public water and sewer will be brought to the site. A traffic signal will be installed on the eastbound off ramp, along with right hand turn lanes on the westbound exit off I-20.

David Smith, Manager of a nearby public use air strip, addressed the Board. He has concerns about the safety of air navigation, and feels that the lighting from the signs may confuse the pilots. Mr. Smith informed the Board that the applicant must contact the FAA and Title 55 of the South Carolina Code of Laws for review. Karen Smith, Co-Owner of the air strip informed the Board that the air strip has been under development for about eighteen years and they have a considerable investment in the air strip. Mr. Shuffield stated that they could not build without first getting the necessary clearance needed for the signs.

Minutes approved by the Board of Zoning Appeals on October 3, 2017

Section 3:4.2-2 (Signs on Building Walls)

"Principle building walls may have signage on all faces which front on a public street." Mr. Conley informed the Board that the applicant is requesting wall signage on the main building, and a repair shop. Both buildings will face a public road. In general, the surface area dimension of building wall signs should not exceed ten (10) square feet per building side, which faces a public street unless the size of the building is such that a larger sign can be justified. The size area requested is larger than the 10 square feet allowable under the ordinance. The applicant is requesting 263.72 square feet on the main building and 240.26 square feet on the repair center building. Due to the size of the site and proposed structure, staff does not have a problem with the size of these signs. After a brief discussion the Chairman called for a motion. Brian Strickland made a motion to approve the variance, due to the size of the signs being in proportion to the buildings, and that all four standards for a variance set by State Law and the Ordinance have been met: The motion was seconded by David Brown, and approval was unanimous.

Section 3:4.2-1B (Freestanding Signs)

"One freestanding sign is permitted per street frontage so long as all signs are at least 100 linear feet apart as measured by the shortest straight line." In giving his staff recommendation, Mr. Conley informed the Board that the applicant could be requesting up to three freestanding signs on the property. If the interstate exchange sign is moved to the property line adjacent to the interstate, then the property will be allowed to have two freestanding signs, a business sign and a scale sign. The scale sign is justified by the size, it would be located 200 plus feet from any property line and having it is very logical to staff. There are no other freestanding signs within 100 linear feet of the proposed freestanding sign at the corner of White Pond Road and Frontage Road. The Chairman called for a motion. Mike Jones made a motion to approve the two signs (business and scale), stating that all four standards exist: The motion was seconded by David Brown, and approval was unanimous.

Section 3:4.2-1D (Freestanding Signs)

Mr. Conley stated that the applicant is requesting a 28 foot tall (located at the corner of White Pond Road and Frontage Road) and a proposed approx. 21.5 foot tall (truck scale sign) freestanding signs. For this zoning district, the ordinance allows for a maximum height of 10 feet tall. The truck scale sign would need to be that tall in order to accommodate the height of different vehicles. Mr. Shuffield addressed the Board, and after a brief discussion, the Chairman called for a motion. David Brown moved to table the motion. The motion was seconded by Ben Strickland, and approval was unanimous.

Section 3:4.2-1C (Freestanding Signs)

Mr. Conley informed the Board that the maximum sign surface area for single occupancy sites is forty (40) square feet, and for multiple occupant sites is fifty (50) square feet. The applicant is requesting 251.83 square feet of sign display area, between the two proposed freestanding signs, not including the interstate sign. The truck scale sign would equate to 113.50 and the business sign would be 138.33 square feet. After a brief discussion, the chairman called for a motion. Justin Conder made a motion to approve the square footage for the truck scale sign, stating that all four standards exist: The motion was seconded by Mike Jones, and approval was unanimous.

No vote was taken for the variance on the proposed business sign. The Board will bring this item back up, to be heard at a later date.

Section 3:4.2-17 (On-site Business Signs Located Adjacent to an Interstate Highway Interchange)

Mr. Conley explained that the applicant is requesting a variance on the height and size of a proposed freestanding sign at an interstate highway interchange. The county recently passed an ordinance allowing for a 75 foot tall freestanding sign adjacent to an interstate. The applicant is requesting a 175 foot tall freestanding sign. The applicant is also asking for a variance from the max sign surface area of 50 square feet to 917.16 square feet. The proposed sign would consist of the Loves logo, Arby's and gas price signage.

Mr. Shuffield spoke to the Board and addressed the trees along the state right-of-way in the median and along the road right-of-way westbound, which greatly restricts visibility and will require the large height on the interstate sign. Truckers cannot adequately read the lower, smaller signage.

After a lengthy discussion, the Chairman called for a motion. Paul Holder made a motion to disapprove the variance request on the sign height and size. He stated that the request did not meet the four (4) standard set by State Law. The motion was seconded by Mike Jones, and all voted to disapprove the request.

ADJOURNMENT

At 6:57 p.m., the Chairman called for a motion to adjourn. The motion to adjourn was made by Mike Jones, seconded by Ben Strickland, and approval was unanimous.

Respectfully submitted,

Rhonda Darity

Rhonda Darity
Secretary